

1 A. \$24,106.73.

2 Q. For 2002, what was your bonus?

3 A. \$23,931.93.

4 Q. For 2003, what was your AMIP bonus?

5 A. \$22,758.

6 Q. Are these bonuses reflected in your total
7 earnings?

8 A. Yes.

9 MR. SEEGULL: Objection.

10 Q. During what period of time did you earn these
11 bonuses?

12 MR. SEEGULL: Objection.

13 A. I earned these from April 1st of the previous
14 year through March 31st of the year in which they were
15 paid.

16 (Deposition Exhibit No. 32 was marked for
17 identification.)

18 BY MR. WILSON:

19 Q. The court reporter has given you what's been
20 marked Exhibit 32. Can you take a minute and look at
21 that, please?

22 A. Okay.

23 Q. Can you tell me what that is?

24 A. This appears to be my personal fiscal year 2003



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1 AMIP goal information.

2 Q. Does this sheet say anything about proration on
3 it?

4 A. Yes. In the top right side, about fifth item
5 down, talks about my proration eligible months. In this
6 case it says 12 months that I would be eligible for the
7 full year.

8 Q. The other worksheets that you got like this,
9 did they have a box on it indicating proration by months?

10 A. For the years that I got them, I believe they
11 did, yes.

12 Q. During your testimony you indicated that the
13 AMIP calculation would change such as the factors, the
14 targets, and the weightings. If you didn't know what the
15 factors, targets, and weightings were, would that affect
16 the way that you did your job?

17 A. No. I worked towards earning the most value
18 for the corporation to achieve good financial results.
19 So the actual interpretation of these specific weighting
20 factors would be how AMIP was paid, but I knew if we did
21 a good financial performance and worked hard towards that
22 throughout the year, that we would meet the objectives
23 set out.

24 Q. Were the factors, targets, and weightings



1 similar from year to year?

2 A. They were similar from year to year, yes.

3 Q. Were they similar enough so that, if you
4 continued to do your job the same way from year to year,
5 it was likely you would receive your AMIP bonus?

6 MR. SEEGULL: Objection.

7 A. Yes. They're almost always financial-based and
8 would -- with our contributions we would do throughout
9 the year would strive to meet the actual financial
10 performance that would reach a payout for those in the
11 program.

12 Q. You gave some testimony about salary
13 increases --

14 A. Yes.

15 Q. -- while you were at CSC. Did you consider
16 these large increases?

17 MR. SEEGULL: Objection.

18 A. Generally they were low percentages. One to
19 two percent some years.

20 Q. Did you have conversations with individuals
21 when you were given your salary increase?

22 A. Yes. Usually your manager would give you your
23 salary increase at the appropriate time of the year and
24 often would make comment about how small it is for any



1 year, but they always reminded me to look at my total
2 compensation for the year which would include things like
3 the AMIP bonus.

4 Q. Did they indicate to you that your AMIP bonus
5 was included in your total compensation?

6 MR. SEEGULL: Objection.

7 A. Yes. Every year -- in fact, HR virtually every
8 year reminded us to always look at our total compensation
9 when we considered if we were being properly compensated
10 at CSC which would include things like your actual
11 salary, your bonus, and your benefits.

12 Q. When you came from DuPont and you got your
13 offer letter, did you view the AMIP portion of that offer
14 letter as part of your total compensation?

15 A. Yes, I did.

16 MR. SEEGULL: Objection.

17 Q. Did you view the AMIP bonus as an incentive to
18 come and work for CSC?

19 MR. SEEGULL: Objection.

20 A. Yes. That was part of my consideration whether
21 I wanted to go to work for CSC or not was the total
22 compensation package including the AMIP.

23 Q. If the AMIP hadn't been included, would you
24 have still come to CSC?



1 MR. SEEGULL: Objection.

2 A. I would have started looking elsewhere.

3 Q. As far as your testimony about once you
4 discovered that you weren't going to be included in the
5 AMIP, you started doing things differently, do you
6 remember specific things that you didn't do?

7 MR. SEEGULL: Objection.

8 A. At this point in time, being so far away, I
9 can't remember specific things off the top of my head,
10 other than some of the things I have described, the types
11 of things that I did before.

12 Q. Do you have a specific recollection that you
13 did change the way you did your job?

14 MR. SEEGULL: Objection.

15 A. Yes.

16 Q. How was that?

17 MR. SEEGULL: Objection.

18 A. In general, as with anything, if you're being
19 compensated for work you're doing and then that changes,
20 the work would change with it. So up until that time, I
21 was under the understanding that I was eligible for the
22 AMIP program until the September time frame, end of
23 September time frame I was informed I was not and then
24 some of my work habits would change because my



1 compensation was just turned down by the amount of AMIP
2 eligibility.

3 Q. Prior to being notified that the AMIP was being
4 taken away, did you put forth extra effort?

5 A. Yes. I often put forth extra effort.

6 MR. SEEGULL: Objection.

7 THE WITNESS: And worked extra hours, did
8 extra things outside the scope of my specific assignment
9 to help ensure that the whole overall account would
10 reach -- assist where I could to reach financial goals
11 above and beyond what my strict assignment was so I would
12 be eligible to receive my full maximum potential here.

13 Q. After the AMIP bonus was taken away, were your
14 extra efforts scaled back any?

15 A. Yes, it was. Significantly.

16 MR. WILSON: That's all I have.

17 BY MR. SEEGULL:

18 Q. Mr. Miller, have you ever committed tax fraud?

19 A. No.

20 Q. Did you list \$22,758 in bonus money as earnings
21 for your 2002 taxes or did you list it as 2003 earnings?

22 A. This would have been -- this would have been
23 reported as paid to me in that tax year. That's what I
24 had reported.



1 Q. When did you list it as earnings? You have to
2 list all your earnings, correct?

3 A. Yes. In my taxes you mean?

4 Q. Your \$22,758 bonus, when did you list that had
5 been earned on your tax forms?

6 A. I would list what CSC gave me as my W-2. In
7 this case, at the end of calendar year 2003. I received
8 a W-2 which would include this amount.

9 Q. So the W-2 reflects when the money was earned?

10 A. It reflects when the money was paid to me for
11 reporting the taxes, yes.

12 Q. Doesn't it have a line that says earnings for
13 the year?

14 A. I believe the title of the thing is called
15 "Earnings."

16 Q. That's for the year, correct?

17 A. That would be for the calendar year that they
18 provide it.

19 Q. So when was the \$22,758 earned according to
20 CSC?

21 A. According to CSC -- there's two questions
22 there, I think. There is the -- the earnings according
23 to the AMIP's program --

24 Q. Not the AMIP program.



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1 A. Can I answer the question?

2 Q. No. I'm asking according to the payroll
3 system.

4 A. According to the payroll system, I was paid
5 22 thousand whatever number that was.

6 Q. That's not what I asked you.

7 A. Yes, sir.

8 Q. I think you know what I asked you.

9 A. Please ask the question again. I think you're
10 leading me with a question. I would like to answer
11 properly if I could.

12 Q. When does CSC reflect that you earned the bonus
13 of \$22,758?

14 A. They reflect in my W-2 that money was paid and,
15 therefore, by definition, earned, I guess, by the
16 government in that tax year.

17 Q. That would be 2003?

18 A. Yes.

19 Q. So CSC reflects your payment of \$22,758 as
20 having been earned in 2003, correct?

21 A. By payroll records, yes.

22 Q. And CSC reflects that your AMIP bonus of
23 \$23,931.93, that that was earned in 2002, correct?

24 A. That was paid in 2002 and earned through the



1 fiscal year previous to that, yes.

2 Q. Not earned through the fiscal year.

3 A. Excuse me. It was earned previous to that
4 because that was the fiscal year AMIP program of which I
5 was eligible to receive that payment. They were always
6 paid the end of the fiscal year which happens to fall
7 into the next tax year. Yes.

8 Q. When was it earned? When does it reflect that
9 it's earned?

10 A. The payroll records would show that I was paid
11 that money on work that I did through the CSC fiscal year
12 which ended on March 31st, 2003. The payment for that
13 work that I did to earn that was made in 2003; therefore,
14 it was reported to the IRS as earnings for tax purposes
15 in 2003.

16 Q. The same would be true for your \$24,106.73
17 payment. That was reflected, according to CSC's system,
18 as earned in 2001, correct?

19 A. Reflects a bonus paid in that time frame.

20 Q. And earned in --

21 A. It would be earned --

22 Q. It's reflected as earned in 2001?

23 MR. WILSON: Objection.

24



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1 BY MR. SEEGULL:

2 Q. It's just yes or no. Is that correct?

3 A. I believe that is a leading question.

4 Q. Just yes or no. Is it correct or it's not
5 correct?

6 A. It is reflected as earnings in the tax year for
7 the work that I did of the fiscal year prior to that
8 ending March 31st. In that case 2001.

9 Q. It's very simple, Mr. Miller. Let's look at
10 the first sheet.

11 MR. WILSON: Larry, he's answered your
12 question.

13 BY MR. SEEGULL:

14 Q. Let's look at the first sheet. I'm not trying
15 to play games here. I don't know why you are. Look at
16 total earnings. You see total earnings? There's a line
17 for total earnings?

18 A. Yes.

19 Q. You see it says year-to-date total earnings?

20 A. Yes.

21 Q. What are the total earnings for that
22 year-to-date?

23 A. At this point in time it was \$66,703.92.

24 Q. You're looking at the 2003?



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1 A. I'm sorry. I'm looking at 2003.

2 Q. What year is that?

3 A. This is year -- in this case year 2003, tax
4 year 2003.

5 Q. How much does CSC reflect that you had earned
6 as of May 30th, 2003, from January 1, 2003?

7 A. \$66,703.92.

8 Q. And CSC reflects in that payment a \$22,750
9 worth of earnings of an AMIP bonus, correct?

10 A. That's correct.

11 Q. And that would be true for the other years, the
12 same methodology, correct?

13 A. That's correct. Bonus paid from the previous
14 fiscal year's work, yes.

15 Q. But the CSC payroll system reflects it as being
16 earned in that year in which it's paid, correct?

17 A. Yes. For tax purposes.

18 Q. Because if you really earned it some other
19 year, you would be committing tax fraud if you didn't
20 report it?

21 MR. WILSON: Objection to form.

22 A. I do not believe that's correct. I didn't
23 actually receive the money. I can't pay taxes on
24 something I didn't actually receive.



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1 Q. That's not true. You can pay estimated tax,
2 correct?

3 A. But my tax burden for that year had nothing to
4 do with this specific payment because it wasn't received
5 till that tax year.

6 Q. It wasn't earned till the following year?

7 MR. WILSON: Objection to form.

8 A. It wasn't paid till the following year.

9 Q. Since you have been working for CSC, have you
10 applied for any other jobs outside of CSC?

11 A. Outside of CSC? No.

12 Q. You haven't looked to work anyplace else?

13 A. I have looked, especially when this AMIP
14 program was taken away, but then I was fortunate enough
15 to find an assignment that made me feel more satisfactory
16 and meet my needs in the time frame we discussed.

17 Q. But you didn't apply for any jobs outside of
18 CSC?

19 A. Not outside of CSC, no.

20 Q. You didn't look for any jobs outside of CSC?

21 A. I looked but not applied for any. I looked at
22 a number of places, talked to some people.

23 Q. Where did you look?

24 A. I looked at chiefmonster.com. Followed that



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1 for a while. Some of the other Web sites. Checked
2 things. Local newspaper.

3 Q. Did you go on any interviews?

4 A. No, I did not.

5 Q. Did you send out any resumes?

6 A. No. I updated it, but never sent it out.

7 Q. Have you ever removed anyone from AMIP
8 eligibility?

9 A. Me personally, no, I did not.

10 Q. Do you know anybody that's ever been removed
11 from AMIP eligibility?

12 A. No, I do not.

13 Q. So when you say every year at the start of the
14 fiscal year you told people if they were removed from
15 AMIP eligibility, the truth is you don't know one person
16 they were ever told they were removed from AMIP
17 eligibility at the start of the fiscal year. Correct?

18 A. I can --

19 Q. Is that correct?

20 A. No, that's not correct.

21 Q. Name me a person you know that they were told
22 that they were removed from AMIP eligibility at the start
23 of the fiscal year.

24 A. I was participating in a number --



1 Q. Just name the person.

2 A. I cannot name a specific person.

3 Q. That's all I asked you.

4 A. I know there were people that were removed.

5 Q. No --

6 A. I do not know the names. It's too long along.
7 They were not my employees.

8 Q. Isn't it true that you have never told anybody
9 they were removed from AMIP eligibility at the start of
10 the fiscal year? Isn't that right?

11 A. I did not have to, that's correct, because none
12 of my employees were ever removed.

13 MR. SEEGULL: I have no further questions.

14 BY MR. WILSON:

15 Q. I want to talk about this sheet a little bit,
16 Exhibit 31.

17 Mr. Miller, what's the pay date on that?

18 A. The one top sheet here is May 30th, 2003.

19 Q. What fiscal year is that?

20 A. The May 30th fiscal year, that would be fiscal
21 year 2004.

22 Q. And the bonus that's on there, what AMIP bonus
23 does that reflect?

24 A. That reflects the AMIP bonus for fiscal year



1 2003.

2 Q. So according to Mr. Seegull's philosophy, the
3 2003 AMIP bonus, was it earned in fiscal year 2004?

4 MR. SEEGULL: Objection.

5 A. The AMIP bonus that's reflected here was earned
6 during CSC's fiscal year 2003 which ran from April 1st,
7 2002, through March 31st, 2003. It was paid according to
8 this on May 30th, 2003. Earning was done the previous
9 fiscal year, paid on May 30th, 2003, which would be CSC's
10 fiscal year 2004.

11 Q. What about the other years?

12 A. Same logic would apply.

13 Q. Were the AMIP bonuses for those years paid in
14 the subsequent fiscal year?

15 A. Yes.

16 MR. SEEGULL: Objection.

17 MR. WILSON: I have nothing further.

18 MR. SEEGULL: I have nothing further.

19 (Deposition concluded at 3:10 p.m.)

20 - - - - -

21

22

23

24



T E S T I M O N Y

DEPONENT: BRIAN L. MILLER PAGE

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E X H I B I T S

DEPOSITION EXHIBIT NO. MARKED

28 - A letter dated March 7, 1997,
to Brian L. Miller from Dorothy Eltzroth..... 499

29 - A letter dated September 11, 2003,
to Brian Miller from Robert Tattle..... 513

30 - A multi-page document Bates numbered
Miller 084 through Miller 090..... 526

31 - Three documents Bates numbered D-11529,
D-11502, and D-11474..... 528

32 - A two-page document entitled, "Fiscal
Year 2003 AMIP"..... 530

ERRATA SHEET/DEPONENT'S SIGNATURE PAGE 546

CERTIFICATE OF REPORTER PAGE 547



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REPLACE THIS PAGE
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CERTIFICATE OF REPORTER

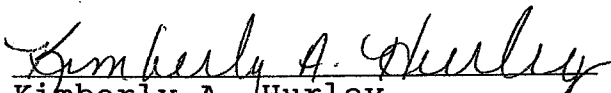
STATE OF DELAWARE)

NEW CASTLE COUNTY)

I, Kimberly A. Hurley, Registered Professional Reporter and Notary Public, do hereby certify that there came before me on the 16th day of February, 2006, the deponent herein, BRIAN L. MILLER, who was duly sworn by me and thereafter examined by counsel for the respective parties; that the questions asked of said deponent and the answers given were taken down by me in Stenotype notes and thereafter transcribed by use of computer-aided transcription and computer printer under my direction.

I further certify that the foregoing is a true and correct transcript of the testimony given at said examination of said witness.

I further certify that I am not counsel, attorney, or relative of either party, or otherwise interested in the event of this suit.


Kimberly A. Hurley

Certification No. 126-RPR
(Expires January 31, 2008)

DATED: 3/10/06

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B-0562

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BRIAN MILLER, HECTOR CALDERON,)
CHARLES FOLWELL, DAWN M.)
HAUCK, KEVIN KEIR, ASHBY)
LINCOLN, KAREN MASINO, ROBERT)
W. PETERSON, SUSAN M. POKOISKI,)
DAN P. ROLLINS, and WILLIAM)
SPERATI,)

Plaintiffs,)

v.)

C.A. No. 05-10-JJF)

COMPUTER SCIENCES CORPORATION,)

Defendant.)

Deposition of KEVIN R. KEIR taken pursuant to notice at the law offices of Potter Anderson & Corroon, Hercules Plaza, 6th Floor, Wilmington, Delaware, beginning at 3:20 p.m., on Thursday, February 16, 2006, before Kimberly A. Hurley, Registered Merit Reporter and Notary Public.

APPEARANCES:

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1 APPEARANCES (cont'd):

2 TYLER B. RAIMO, ESQUIRE
3 COMPUTER SCIENCES CORPORATION
4 3170 Fairview Park Drive
5 Falls Church, Virginia 22042
6 for the Defendant

7 - - - - -

8 KEVIN R. KEIR,
9 the witness herein, having first been
10 duly sworn on oath, was examined and
11 testified as follows:

12 BY MR. RAIMO:

13 Q. Good afternoon, Mr. Keir.

14 A. Hi.

15 Q. I'm an attorney with CSC, and CSC stands for
16 Computer Sciences Corporation. With me is Linda Boyd and
17 Larry Seegull from the law firm of Piper Rudnick.

18 The purpose of this deposition is to
19 inquire about allegations forming the basis of your
20 claim.

21 Have you ever been deposed before?

22 A. I don't believe so. Not that I'm aware of.

23 Q. I'm going to go over some instructions for the
24 deposition here just so you know sort of the rules here.

Obviously all your answers must be verbal



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1 since the court reporter cannot take down head nods,
2 etcetera. Yes or no.

3 You must answer the questions truthfully
4 and completely. You must provide testimony today just as
5 if you were testifying in court.

6 If you do not hear a question, say so and
7 I'll repeat it. If you do not understand a question, say
8 so and I'll rephrase it for you. If you realize that an
9 earlier answer you had given is inaccurate or incomplete,
10 say so, you can correct or supplement your answer for the
11 record.

12 If you want to stop to use the restroom or
13 to stretch or to get up and get a cup of coffee, water,
14 if you're tired, let me know and we will take a short
15 break.

16 If you do not know or do not remember the
17 information necessary to answer the question, say so.
18 You cannot talk to your attorney during the deposition to
19 discuss your testimony until the deposition is concluded.
20 You cannot seek advice from your attorney during the
21 deposition unless it relates to a question of privilege.

22 If you answer a question, I'll assume that
23 you have heard it and understand it and you have given
24 your best recollection.



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B-0566

1 Do you understand the instructions I have
2 given you?

3 A. Yes.

4 Q. Are you taking any medication today that could
5 possibly impede your testimony?

6 A. No.

7 Q. What did you do to prepare for the deposition
8 today?

9 A. I met with Tim yesterday briefly and I tried to
10 spend a little time last night reviewing the court
11 documents and what papers I had.

12 Q. Did you meet with anyone besides Tim?
13 Tim Wilson, your attorney?

14 A. I had a very brief conversation with
15 Bill Sperati today. That's all.

16 Q. What did you talk about with Bill?

17 A. Just if he knew clarification about some of the
18 calculations.

19 Q. What calculations?

20 A. Of the AMIPs.

21 Q. AMIP?

22 A. AMIP..

23 Q. Calculations being what, your damages?

24 A. No. The percentage people got.



1 Q. Percentage people got? What else did you talk
2 about?

3 A. That's pretty much it.

4 Q. Whose percentages are you talking about? Other
5 people, who are they?

6 A. People in the AMIP participation and that's
7 all.

8 Q. Anyone else did you speak with about AMIP,
9 about this lawsuit?

10 A. In the mediation we met with -- the mediation
11 last week or the week before, that was the first time I
12 had met a lot of those people.

13 Q. You said you reviewed some documents to prepare
14 for the deposition. Can you tell me what those documents
15 were?

16 A. The legal ones that have been sent by his
17 office. The actual complaint. Those kind of things.

18 Q. Did you bring any documents with you today?

19 A. I believe Tim did.

20 Q. Other than Bill Sperati that you spoke to and
21 Tim Wilson, anyone else you have spoken to about this
22 deposition that you're going to give today?

23 A. Recently for the deposition?

24 Q. Right.



1 A. No. Other than my wife to let her know I'm
2 here. That's about it.

3 Q. Your only claim is that CSC violated the
4 Delaware Wage Payment Act, correct?

5 A. Yes.

6 Q. What's the basis of the claim?

7 A. That we had earned income that was taken away.

8 Q. Earned income taken away?

9 A. And bonus that was taken away.

10 Q. During the period between April 1st and a
11 period in September?

12 A. Yes.

13 Q. Is that the time frame?

14 A. I believe so.

15 Q. 2003?

16 A. Uh-huh.

17 Q. No other claim besides that?

18 A. Other than the damages, no.

19 Q. And those damages relate to that period of time
20 between April 1st --

21 A. Yes.

22 Q. -- and September?

23 A. Correct.

24 Q. Have you ever been known by any other name?



1 A. No.

2 Q. What's your Social Security number?

3 A. 222-82-7331.

4 Q. Your date of birth?

5 A. November 29th, '55.

6 Q. Place of birth?

7 A. Calgary, Alberta, Canada.

8 . Actually I should clarify the name thing.

9 My birth certificate says Kevin Keir. When I went to
10 renew it, they sent it as Kavin Keir and I had to do
11 paperwork to change it.

12 Q. K-a?

13 A. Yeah. We had an argument that it was a typo.

14 Q. Your current address?

15 A. 3315 Heritage Drive, Wilmington, Delaware.

16 Q. Your phone number?

17 A. 994-2956, area code 302.

18 Q. What was the length of time at this address and
19 phone number?

20 A. Since, I believe, '97. I could be wrong.

21 Around there.

22 Q. Prior to that?

23 A. 301 Village Road, Wilmington, Delaware.

24 Q. Do you rent or own currently?



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1 A. Own.

2 Q. When did you come to the U.S. from Canada?

3 A. Actually I came from Australia, and that was in
4 '93, 1993.

5 Q. Did you go from Canada to Australia and then
6 from Australia to the U.S. in '93?

7 A. Yeah. I joined DuPont Australia.

8 Q. When you came to the U.S., you worked for
9 DuPont?

10 A. Yeah. I switched internally from DuPont
11 Australia to DuPont U.S.

12 Q. In 1993?

13 A. Yes.

14 Q. So between 1993 and I believe in 1997, you had
15 worked for DuPont?

16 A. Yes. And prior that, '83 to '93, in DuPont
17 Australia.

18 Q. Before that where did you work?

19 A. Another company in Australia, and then previous
20 to that a company in Canada, Vancouver.

21 Q. What was the name of the company in Australia?

22 A. They changed their names. Campbell & Cook
23 Actuaries, I believe, and they turned to Co-Cam
24 Computers. Computer actuarial firm.



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B-0571

1 Q. And Canada, the company in Canada?

2 A. SunWest Systems.

3 Q. So '93 came to the U.S.; transferred within
4 DuPont?

5 A. Yes.

6 Q. And then 1997 you were employed then by CSC?

7 A. Correct.

8 Q. Does anyone live with you at your present
9 address?

10 A. My wife and three kids.

11 Q. Have you ever been arrested?

12 A. No.

13 Q. Any convictions for a felony or misdemeanor?

14 A. No.

15 Q. Ever served in the military?

16 A. No.

17 Q. U.S. or otherwise?

18 A. No.

19 Q. When did you first contact an attorney to
20 handle your case against CSC?

21 A. I don't remember.

22 Q. Did anyone contact you?

23 A. We received a letter in the mail and said if
24 you're interested, contact the attorneys. And we did.



1 It was not long after that letter.

2 Q. Do you know what time frame that was?

3 A. I think around December/January. December '03/
4 January. I could be wrong.

5 Q. I show the witness Exhibit 4. Have you ever
6 seen that letter before?

7 A. Yes.

8 Q. What is it?

9 A. It's the letter I received in the mail.

10 Q. Do you know who sent this to you?

11 A. No, I actually don't.

12 Q. Do you know who wrote it?

13 A. No.

14 Q. How did you choose your attorney?

15 A. Listed on the letter here.

16 Q. And you contacted them directly?

17 A. Yes.

18 Q. What is your fee relationship with your
19 attorneys?

20 A. We pay the costs, they take a percentage of --
21 if it's in our favor, they take a percentage. If not, we
22 pay the costs.

23 Q. You mean it will be like --

24 A. Filing costs, administration costs.



1 Q. They will take a percentage. Do you know what
2 that percentage is?

3 A. Not off the top of my head. I forget.

4 Q. Are you seeking attorneys' fees as an element
5 of the damages in this lawsuit?

6 A. I believe we were.

7 Q. Have any lawsuits ever been filed against you?

8 A. No.

9 Q. Have you ever filed any lawsuits besides this
10 one?

11 A. Not filed, no.

12 Q. What do you mean by that?

13 A. I was in that class action, the one with CSC,
14 *Gianetto*, I believe, last year.

15 Q. *Gianetto* case?

16 A. Yes.

17 Q. What was that about?

18 A. That was a class action in California, I
19 believe, about classification of job duties, whether it
20 was overtime or not, and just a class action that was
21 settled.

22 Q. Did you receive any money?

23 A. Yes.

24 Q. How much?



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1 A. I don't remember. Around a thousand dollars, I
2 think.

3 Q. Have you ever been a witness in a lawsuit?

4 A. No.

5 Q. An arbitration?

6 A. Trying to think. Not that I remember.

7 Q. Administrative hearing of some sort?

8 A. No.

9 Q. Have you ever declared bankruptcy?

10 A. No.

11 Q. Have you ever made a claim for unemployment
12 benefits or insurance?

13 A. No. Well, car insurance. That was -- the
14 other person was at fault. I just had to do the
15 paperwork.

16 Q. Car accident?

17 A. Yes.

18 Q. Have you ever made a claim for workers'
19 compensation benefits or insurance?

20 A. No.

21 Q. Do you have any relatives who work or worked at
22 CSC?

23 A. No.

24 Q. I want to ask you some questions about your



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1 education, training, and background. What colleges or
2 universities, if any, have you attended?

3 A. I went to Malaspina College in Nanaimo British
4 Columbia.

5 Q. Did you graduate from there?

6 A. No. It was a 12-month condensed accounting
7 course. I did 10 months of it and I had to move. I
8 didn't complete the final two months.

9 And then I did the BCIT, which is the
10 British Columbia Institute of Technology in Vancouver,
11 and that was a two-year computer course, and I only did
12 one year of that because I got a summer job and the
13 gentleman talked me into staying on.

14 Q. Anything else?

15 A. No.

16 Q. No graduate school?

17 A. No.

18 Q. Any other training or special courses you have
19 taken besides attending these accounting courses and
20 computer courses?

21 A. Mostly through DuPont or CSC. Just personal,
22 private courses like cooking.

23 Q. Have you ever received any professional or
24 work-related certifications?



1 A. Just through courses through CSC. They're
2 small certifications or small graduations. I work in a
3 computer area called software -- called SAP and we often
4 get sent on SAP courses.

5 Q. Who paid for this?

6 A. Usually DuPont or CSC.

7 Q. So you took those courses when you were at
8 DuPont and you took those courses while you were at CSC,
9 too?

10 A. Yes.

11 Q. Both SAP --

12 A. SAP. Sometimes other ones, too.

13 Q. Do you know what those were?

14 A. Other ones?

15 Q. Yes. In addition to the SAP ones.

16 A. I took a networking communications one once.
17 There was a couple of others.

18 Q. Paid for by CSC?

19 A. Or DuPont, yes.

20 Q. Have you ever received any awards or honors?
21 Let's start with DuPont, while you were at DuPont.

22 A. I have. I wouldn't remember them all.
23 Sometimes they're monetary rewards for a project that you
24 were part of a project. Sometimes it's individual



1 recognition. I don't remember the exact numbers or names
2 of the awards or whatever. I have received some.

3 Q. Monetary?

4 A. Sometimes monetary, sometimes
5 plaque-on-the-wall-type thing.

6 Q. Do you know how much they were, maybe --

7 A. They ranged anywhere from \$25 up to a couple of
8 thousand.

9 Q. Were they given to individuals or groups?

10 A. Mostly groups. Sometimes individuals or
11 individuals within those groups.

12 Q. Departments or just --

13 A. No. Individuals. Generally the larger ones --
14 like there was one for a thousand, there was one for a
15 couple thousand, you were part of a group working on a
16 project and everyone on that project received something.
17 Wouldn't necessarily know what everybody got.

18 Other individual awards I have done have
19 either been individual -- awards I have gotten have
20 either been individual or part of a group, but they're
21 smaller, like, \$25, \$50.

22 Q. Doesn't have an impact on your career success,
23 does it, \$25?

24 A. It's a morale booster. Motivation. Someone



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1 recognizes it.

2 Q. You received also plaques in addition to that?
3 I'm talking about DuPont, too.

4 A. Yeah. Usually with the monetary awards you
5 received something. Sometimes it was even a desk
6 knickknack or something.

7 Q. How about CSC?

8 A. Same.

9 Q. Money?

10 A. Money, certificate.

11 Q. What was the largest amount of money you
12 received from CSC as sort of an award?

13 A. I have to remember if I was with DuPont or CSC.
14 I believe it was a thousand dollars for working on a
15 project for Canada.

16 Q. When was the last time you received one of
17 these awards from CSC?

18 A. I'm guessing six months ago. It was a smaller
19 one.

20 Q. How much?

21 A. Fifty dollars, I think.

22 Q. For what?

23 A. Getting work for CSC.

24 Q. What was that work?



1 A. They were re-siting -- it was for the DuPont
2 DSAP which is their big SAP implementation. They signed
3 up more paperwork for a bunch more work in the area I do,
4 which is archiving.

5 Q. Did anyone else receive an award?

6 A. Not particularly for that one, no.

7 Q. Just you?

8 A. Yes.

9 Q. Do you know the name of that award?

10 A. No. It was just a monetary thank-you.

11 Q. Who gives that award, is it your manager or
12 supervisor or is it the client?

13 A. If it's from CSC, an internal award like that,
14 it doesn't have to be your direct manager. It can be
15 another manager on the project you're working on. I
16 actually have very little interaction with my manager
17 because I'm working on multiple different projects. So
18 it was a CSC person involved in that project I was on.
19 Or one of the projects I was on.

20 Q. Any other awards from CSC?

21 A. Not that I remember. There's been two or three
22 \$50, \$25 ones. There was a thousand-dollar one, I
23 believe, from Canada. There was a couple of DuPont ones
24 before that.



1 Q. When you were working at DuPont?

2 A. DuPont, yes. DuPont Australia or DuPont U.S.

3 Q. Does the fact that you received any of these
4 awards support any of your claims today? I'm sorry, the
5 claims that you're making in your current complaint?

6 A. I don't believe so.

7 Q. Do you have any memberships with any
8 professional associations?

9 A. Only through CSC. Group memberships, SAP users
10 group, kind of have to apply and get a sign-on for that.
11 But CSC pays for a group membership.

12 Q. Are those just CSC employees in that
13 membership?

14 A. No. It's outside people, too.

15 Q. When did you first join that group or were you
16 accepted?

17 A. Years ago. CSC pays a yearly fee to say we are
18 our company within CSC, so people within our company can
19 join this group.

20 Q. So CSC is the actual member?

21 A. Yes.

22 Q. I want to talk about the prior employment
23 history we touched on earlier. I guess you said you
24 first began with DuPont in 1993. Correct?



1 A. DuPont Australia, '83.

2 Q. And then joined DuPont --

3 A. U.S.

4 Q. When?

5 A. '93.

6 Q. When did your employment end with DuPont?

7 A. In 1997 when we switched with CSC.

8 Q. What was your final position at DuPont?

9 A. I don't remember. Computer scientist, senior
10 computer scientist. Whatever the terminology -- I don't
11 actually remember the actual terminology.

12 Q. Do you know what level that was within DuPont?

13 A. I believe it was a 5.

14 Q. What did your job entail as a computer
15 scientist with DuPont?

16 A. With DuPont? It did change over the years.
17 When I left, I believe I was doing a job I'm doing now,
18 which is basically a computer specialist in a certain
19 area.

20 Q. Is it SAP?

21 A. SAP but a portion of SAP. I'm a specialist in
22 the data archiving.

23 Q. Were you in a bonus program in that job?

24 A. I was in the DuPont bonus --



1 Q. Program?

2 A. Right.

3 Q. What was the name of that?

4 A. Incentive Comp., compensation, whatever it was.
5 IC.

6 Q. What documents set forth that bonus program?

7 A. I don't recall. I received it a couple of
8 years before we split. I was told I was eligible for it.

9 Q. How many years were you in the DuPont bonus
10 program?

11 A. I believe it was less than two years. I don't
12 know the exact timing.

13 Q. How did you join that bonus program?

14 A. My manager at the time just called me and said
15 congratulations, you're now eligible for this, and I
16 really didn't know how.

17 Q. You didn't know how you were eligible for it?

18 A. Right. Or I wasn't told. I wasn't told to
19 apply or how to apply or anything else. They just said
20 you're now eligible, you get it.

21 Q. Did you ever find out later why you were
22 eligible?

23 A. No.

24 Q. How did you learn about that bonus program



1 while you were at DuPont?

2 A. I knew that people at a certain level got it.
3 I was not clear how they got it. It didn't seem to be
4 totally clear that, just because you were at a level, you
5 got the bonus.

6 Q. Why is that?

7 A. I don't know.

8 Q. Were those people managerial-level?

9 A. No. I honestly don't know. From what little I
10 knew about it, it didn't seem to be a consistent thing.
11 It seemed to be you were nominated for it or applied for
12 it or whatever.

13 Q. You didn't apply?

14 A. I did not apply.

15 Q. You were just told you were eligible by your
16 supervisor?

17 A. Yes.

18 Q. How is that bonus calculated?

19 A. I don't recall.

20 Q. Was it awarded annually?

21 A. Yes.

22 Q. Did you meet with your supervisor to sit down
23 to tell you what was expected of you for the bonus?

24 A. I don't know if it was directly related to the



1 bonus. You'd meet every year anyway to go over your
2 performance and what was kind of expected over the next
3 year. Indirectly that was part of the bonus, I guess.

4 Q. When did you first start working at CSC?

5 A. Whenever everybody else transitioned over,
6 which I believe it was May '97.

7 Q. What was your first position with CSC?

8 A. Pretty much the same. I just kept -- it was
9 very little change from what I was already doing.

10 Q. What was your title?

11 A. Again, computer scientist, I believe, or senior
12 computer scientist. I think it was just computer
13 scientist. The terminology, the name was slightly
14 different at DuPont. I don't recall what it was.

15 Q. When you joined CSC, what group were you in?

16 A. They started off -- they changed names over the
17 years so many times. Horizon Initiatives.

18 Q. That was the initial group?

19 A. I believe so. Basically I was working at
20 DuPont in SAP and continued to do the same job.

21 Q. How did Horizon Initiatives -- is that what you
22 said?

23 A. I believe that's the first name they started
24 off with, yes.



1 Q. How did that fit into the organizational
2 structure of CSC?

3 A. I believe they built that from scratch
4 deliberately to handle the DuPont take-over and they were
5 planning on kind of using that as a group for all
6 chemical-related companies. Kind of a new division.

7 Q. As a computer scientist for CSC, you continued
8 to perform the same duties you were doing while you were
9 at DuPont?

10 A. Yes. Except for DuPont as a client now.

11 Q. Did your manager change?

12 A. I believe so, yes.

13 Q. Who was that?

14 A. I believe the new one was Paula Haldaman. The
15 old one stayed at DuPont.

16 Q. Continued to be a DuPont employee?

17 A. I'm sorry. Continued to be at DuPont. Yes.

18 Q. You stayed at the same location?

19 A. I don't recall. We have moved around a lot.
20 Sometimes they have been at DuPont sites. Sometimes they
21 have been at CSC sites. I can't remember where we were
22 in '97 exactly. I think we stayed at a DuPont site for a
23 while.

24 Q. Do you know where you were before you moved to



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1 CSC, transitioned to CSC?

2 A. We have been at quite a lot of different
3 locations. I have been at Barley Mill. We have been
4 downtown here. Later on DuPont -- we moved out to
5 Newark, two locations down there. And mostly Barley
6 Mill.

7 Q. What was your starting salary at CSC?

8 A. I don't recall.

9 Q. Was it the same as when you were at DuPont?

10 A. I believe there's some adjustments made. I
11 couldn't tell you the exact number.

12 Q. Do you know your salary level, your SL number?

13 A. 5. I don't think that's changed.

14 Q. Is that what you are now?

15 A. I believe so, yes. I'm sorry. I believe it
16 was the same as now. I'm a 5 now.

17 Q. What's your current job function?

18 A. Pretty much the same. I'm a specialist in the
19 SAP archiving area. I have a group of -- it alternates
20 three to four people I'm responsible for. Most of them
21 are in the same area, SAP archiving. Like a team lead
22 and also their administrative lead.

23 Q. When you joined CSC, were you in the AMIP bonus
24 program?



1 A. Yes.

2 Q. As a computer scientist, SL 5?

3 A. Yes.

4 Q. Did you receive any other types of bonuses when
5 you joined CSC?

6 A. I don't know if it was right when we joined.
7 There's been a couple over the years. One was a
8 retention program because SAP was a high-skills area and
9 there were people leaving. And there was another one
10 called PSPP. That was like a hot skills. Only certain
11 areas that were in demand got a bonus, as well. So there
12 was a couple -- the names came and went over the years.

13 Q. What does PSPP stand for?

14 A. I don't know.

15 Q. You received one of those bonuses?

16 A. I received both. Premium skills something,
17 something.

18 Q. Did you receive that every year?

19 A. No. They came and went, and I honestly
20 couldn't tell you how many years or whatever.

21 Q. Do you know why you didn't receive one after a
22 year you did receive one?

23 A. It was put in place because of a certain
24 situation where people were leaving because there were



1 hot skills in that market. After a while those skills
2 cooled down or their competition got caught up and they
3 took the program away.

4 (Deposition Exhibit No. 33 was marked for
5 identification.)

6 BY MR. RAIMO:

7 Q. Do you recognize this Exhibit 33?

8 A. Yes.

9 Q. What is it?

10 A. It was the offer letter to me from CSC.

11 Q. You received this letter when you transferred
12 from DuPont to CSC, correct?

13 A. Yes.

14 Q. You understood from this letter that you would
15 be eligible to participate in AMIP, correct?

16 A. Correct.

17 Q. This letter did not guarantee you that you
18 would continue to be eligible to participate in AMIP the
19 rest of your career at CSC, correct?

20 MR. WILSON: Object to form. Go ahead.

21 A. It didn't say either way.

22 Q. But it didn't guarantee you that you would be
23 eligible to remain in AMIP.

24 A. Doesn't say either way. Yes. It doesn't say



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1 that.

2 Q. Do you see where it does guarantee you that you
3 would be --

4 A. No.

5 Q. You're currently employed with CSC as an
6 at-will employee, correct?

7 A. I'm not sure what that means.

8 Q. Means you don't have an employment contract
9 with CSC, you could terminate your employment with CSC at
10 any time and CSC can terminate your employment at any
11 time.

12 A. Correct.

13 Q. Before you transferred from DuPont to CSC, did
14 DuPont hold any meetings about the transfer?

15 A. Yes.

16 Q. When?

17 A. There was numerous meetings. It was a
18 traumatic time for a lot of people with not knowing what
19 it meant. There was meetings to discuss what the plan
20 was, whether some people were possibly going to
21 Accenture, some going to CSC, some might have even stayed
22 at DuPont. So there was various meetings.

23 Q. Who conducted those meetings?

24 A. I don't recall them all. I know Barry Day was



1 involved in some.

2 Q. Who is Barry Day?

3 A. He was our SAP group leader at the time.

4 Q. Was he a DuPont employee or CSC employee?

5 A. He was a DuPont employee, I believe.

6 Q. So Barry Day conducted --

7 A. I know he did at least one of them. There was
8 others.

9 Q. Anyone at CSC conduct meetings with you?

10 A. They were probably at some of the meetings, but
11 I don't recall names or faces.

12 Q. Were benefits discussed during these meetings?

13 A. Yes.

14 Q. Salaries?

15 A. Yes. Not people's direct salaries. The whole
16 benefit package of what it means. Because obviously the
17 DuPont overall package was different than what the CSC
18 package was. People were curious how that was going to
19 shake out.

20 Q. Bonus programs, were they discussed during
21 these meetings?

22 A. Generally not.

23 Q. What do you mean by that?

24 A. Only a few people were eligible for AMIP, so



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1 generally those topics were not part of the general
2 DuPont-to-CSC switchover.

3 Q. Was there anything communicated to you about
4 the bonuses?

5 A. I believe there was e-mails talking about it
6 because people had asked the managers directly and so
7 there were e-mails. I remember they said they were
8 working on it. That's what they came up with.

9 (Deposition Exhibit No. 34 was marked for
10 identification.)

11 BY MR. RAIMO:

12 Q. Do you recognize this document?

13 A. Yes.

14 Q. What is it?

15 A. It's basically what I was just saying, people
16 had asked Barry Day about how were they going to handle
17 AMIP, and this was, I guess, his reply to those people
18 that were eligible at the time. Or the variable comp. of
19 getting that from DuPont.

20 Q. Is this a hard-copy letter or is this an
21 e-mail?

22 A. This was just e-mail.

23 Q. So DuPont Information Systems would be an
24 electronic sort of mass mailing?



1 A. No. That's the department he's from. You
2 can't tell from this who he sent it to, but I believe it
3 was just people in his SAP group that were eligible --
4 that were currently getting the DuPont VC.

5 Q. Did you ever receive any more of these
6 documents from Barry, additional replies?

7 A. I don't recall. I believe, if I did, it was
8 just the same sort of thing that they're working on it
9 and they will come up with something.

10 Q. Did you ever receive any follow-up answer to
11 this or any clarification as to what your bonus would be?

12 A. Between this letter and the actual offer
13 letter, where we were told, and I don't know how, either
14 verbally or possibly in a letter or e-mail, that CSC was
15 going to bend the rules for the DuPont conversion and
16 allow us to be part of the AMIP.

17 Q. What do you mean by "bend the rules"?

18 A. Well, the VC rules and the CSC rules for AMIP
19 were apparently different.

20 Q. And VC stands for variable compensation?

21 A. Yes.

22 Q. In what ways were they different?

23 A. I don't know, but under whatever CSC rules
24 there were for AMIP -- some of us would not have



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1 qualified. I believe it was at a certain level.

2 Q. What were the CSC qualifications at that time,
3 in your understanding?

4 A. I don't recall.

5 Q. Do you contend that any of the discussions or
6 communications during this period of time of your
7 transition support your claim that you were entitled to a
8 prorated AMIP bonus for fiscal year '04?

9 A. The offer letter says they're going to prorate
10 it for the actual joining.

11 Q. But for fiscal year '04.

12 A. Not through these letters.

13 Q. Or communications during your transition from
14 DuPont to CSC.

15 A. Not that I recall.

16 Q. So after these meetings, you didn't have a
17 clear understanding of how AMIP worked?

18 A. In CSC realm?

19 Q. Right.

20 A. Probably not, no.

21 Q. You were told that you would be AMIP-eligible?

22 A. Yes.

23 Q. Did you understand that you would receive an
24 AMIP worksheet?



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1 A. No.

2 Q. Did you know how AMIP bonuses would be
3 calculated?

4 A. Not clearly. It seemed to change over the
5 years how it was calculated. The percentage makeup
6 changed over the years.

7 Q. What do you mean by that, the way your AMIP was
8 calculated would change year to year?

9 A. The makeup -- I was eligible up to 22 percent.
10 They would come up with a calculation based on a bunch of
11 different factors to say whether payout is going to be
12 hundred percent, 80 percent, 110 percent, whatever. If
13 it's 100 percent, then I would get 22 percent of my
14 salary. But the makeup of the breakdown, internal
15 breakdown, of how they came up with what that figure was
16 seemed to change over the years.

17 Q. According to you, what was the makeup? What
18 did that consist of?

19 A. I couldn't tell you directly. It seemed to be
20 a combination of financial figures. In the beginning
21 years a portion of it was more directly related to your
22 performance. In later years it just seemed to be
23 division and CSC as a total. Some of their financial
24 indicators, earnings per share, I think a return on



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1 investment, those kind of things.

2 Q. You're saying that the AMIP bonus essentially
3 was a percentage of your salary?

4 A. Yes. I was eligible up to a certain amount for
5 a percentage of my salary. Whether I got that percentage
6 was the AMIP's calculation.

7 Q. And that percentage was based on numerous
8 factors?

9 A. Correct. Yes.

10 Q. As you were saying, those factors could include
11 corporate objectives, group objectives?

12 A. Correct.

13 Q. Group objectives?

14 A. At one stage there was personal objectives,
15 too.

16 Q. And personal objectives.

17 A. But it changed. They changed over the years.
18 They changed the mix.

19 Q. The AMIP was always changing?

20 A. The mix of how the AMIP was calculated changed.

21 Q. But that would have an impact on the AMIP you
22 would receive?

23 A. Potentially, yes.

24 Q. Because not only factors would change, but



1 possibly targets for those factors would change, too?

2 A. Correct.

3 Q. And the weight that each of those factors were
4 given would also change, too, over the years.

5 A. They could. I believe they did.

6 Q. They did? And in addition to the financial
7 factors, the nonfinancial factors could change, also; is
8 that correct?

9 A. Such as?

10 Q. Personal objectives.

11 A. Yes. I believe the last couple of years there
12 really wasn't personal objectives involved in the
13 calculation. It was more -- other than a group level.

14 Q. What would a personal objective entail?

15 A. I believe in the early years your rating would
16 have to be considered high. Your manager would have to
17 say yes, this part of it was you met this part.

18 Q. And group objectives?

19 A. Again, those were -- appeared to be just
20 financial objectives for the group.

21 Q. For your case, your SAP group, would you
22 consider you SAP group or --

23 A. We're a part of a large -- again, it's changed
24 so much over the years, the different groups and



1 divisions we have been in. The SAP group was in
2 something called ASD. I forget what -- Application
3 Service Delivery. They have changed over the years so
4 many times. But I don't believe the SAP group itself was
5 a factor. It would be part of a larger group.

6 Q. More of a business unit rather than SAP
7 subgroup?

8 A. Yes.

9 Q. Some of the financial factors were placed into
10 an AMIP worksheet; is that correct?

11 A. Yes.

12 Q. As you stated, that would be possibly operating
13 income, margin?

14 A. Without looking at it, I couldn't tell you. I
15 remember the acronym was ESP at one stage. I believe ROI
16 was on there.

17 Q. DSO?

18 A. I don't recall. May or may not have.

19 Q. And these factors are based on CSC's financial
20 performance during the year.

21 A. I believe so. Or the group's performance.

22 Q. CSC's fiscal year runs between April 1st and
23 March 31st; is that correct?

24 A. I believe that's correct, yes.



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1 Q. So the factors that I just mentioned before
2 could change year to year.

3 A. Yes.

4 Q. Do you know what AMIP stands for?

5 A. Annual Management Incentive Plan, I believe.

6 Q. How do you know what AMIP is?

7 A. I recall seeing that somewhere. It was rarely
8 spelled out like that. It was just always AMIP.

9 Q. Can you point to any document where the terms
10 of AMIP are spelled out?

11 A. No.

12 Q. Can you point to any document where the
13 eligibility to participate in the AMIP is spelled out?

14 A. It might be somewhere on the CSC portal, but I
15 don't have --

16 Q. Do you know what the guiding plan is that
17 controls how CSC implements AMIP?

18 A. No.

19 Q. The company distributes its policies regarding
20 compensation electronically, correct, in addition to
21 being on the portal?

22 A. I believe so. I don't recall receiving a
23 communication about AMIP other than this. Sometimes we
24 would receive something in the mail. We didn't always



1 get a worksheet. I think I got a worksheet in the mail
2 once. But we didn't get one every year.

3 Q. You said something in the mail. Hard-copy
4 document in the mail?

5 A. Yes.

6 Q. Do you know what that document was?

7 A. I believe one year it was a worksheet. Other
8 times it was via e-mail.

9 Q. The worksheet would come via e-mail or other
10 documents --

11 A. The worksheet. The last year I think we got it
12 via e-mail. Or not the last year. The 2002. The 2003
13 year that was via e-mail.

14 Q. Where did you receive that worksheet from?

15 A. I don't recall.

16 Q. Do you know who sent it to you? Was it your
17 supervisor?

18 A. No. The names always seemed to be different.

19 Q. Have you ever seen a policy on AMIP?

20 A. I don't recall.

21 Q. Do you have any e-mails, letters, memoranda, or
22 correspondence which states you're eligible for AMIP for
23 fiscal year 2004?

24 A. Other than the original one saying I was



1 eligible for it, I didn't receive anything else saying I
2 wasn't eligible for it.

3 Q. Did you participate in any orientation when you
4 first began working with CSC?

5 A. Yes.

6 Q. When was that?

7 A. As soon as possible after -- right around the
8 time we transitioned. I know we learned about the
9 telephone test system, that kind of thing.

10 Q. Who conducted that orientation?

11 A. I don't recall. It was a lady that worked for
12 CSC.

13 Q. Were bonuses discussed during that time?

14 A. No.

15 Q. Were you provided with any documents during the
16 orientation?

17 A. For that one, documents about the time-entry
18 system, certainly. There may have been other
19 orientations. I don't recall CSC benefits or anything.
20 Most of us were more concerned for the transition,
21 whether we were going to continue on.

22 Q. You received AMIP bonuses prior to fiscal year
23 2004, correct?

24 A. Yes.



1 Q. Have you received any AMIP bonuses since fiscal
2 year 2004?

3 A. No.

4 Q. Have you received any bonuses at all since
5 fiscal year 2004?

6 A. Just the small monetary rewards we discussed
7 earlier, like \$25, \$50. Couple of those.

8 Q. In what fiscal years did you receive the AMIP
9 bonus?

10 A. '98, '99 -- basically up until it was taken
11 away in '04. Since I joined CSC.

12 Q. Can you tell me what the amounts were for each
13 year?

14 A. Not off the top of my head.

15 Q. What was the average of that?

16 A. I believe I got the full 22 percent every time.

17 Q. When did you receive that?

18 A. At the end of the fiscal year after they came
19 up with the calculation and applied it to our
20 percentages.

21 Q. Do you know what time of year that was?

22 A. Between April, June. Somewhere in there, I
23 believe.

24 Q. But it was after the fiscal year had ended?



1 A. Yes. I believe that's correct.

2 Q. That's because CSC couldn't calculate your AMIP
3 until after the fiscal year had ended, correct?

4 A. I speculate that's the case because a lot of
5 them were financial objectives. So they had to close the
6 books to figure out where they were.

7 Q. So in order to calculate your AMIP, CSC would
8 have to close the books, figure out what factors
9 corresponded with the numbers in order to calculate your
10 AMIP?

11 A. I believe so, yes.

12 Q. At the end of the fiscal year.

13 At some point during the year employees
14 always received some explanation on how the AMIP would be
15 calculated, correct?

16 A. I don't recall getting it every year.
17 Certainly some years there was -- it would be the
18 breakdown of how it was going to be calculated that year.

19 Q. What years did you receive it?

20 A. I don't recall. I believe I certainly had one
21 for '03. Going through my papers, I don't believe I
22 could find other ones.

23 Q. But the time of getting that explanation varied
24 from year to year, correct?



1 A. Correct.

2 Q. How would you receive the explanation?

3 A. As I said, I believe once it came in the mail
4 and the other times e-mail. As it seemed to change so
5 much in the last couple years, the personal objective
6 didn't seem to play much part, I'll be honest, I didn't
7 pay much attention to it.

8 Q. The personal objectives?

9 A. No. The breakdown, because so much of it
10 seemed out of our control other than do a good job for
11 the overall good.

12 Q. You're saying you couldn't impact the factors
13 that were stated on the AMIP worksheet?

14 A. You could certainly impact them at a group
15 level, as a group.

16 Q. But as an individual you couldn't?

17 A. Seemed to be less of a factor.

18 Q. When you received your AMIP worksheet in the
19 mail, did you ever meet with your supervisor about it?

20 A. No. Not that I recall.

21 Q. Didn't receive an explanation?

22 A. Not that I recall.

23 Q. Prior to receiving a completed AMIP worksheet,
24 you received a preliminary worksheet; is that correct?

